

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CASE NO. 05-40104-FDS

ROBERT WHITE, PRO SE,

Petitioner;

vs.

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MASSACHUSETTS,
THE HONORABLE HENRY J. BOROFF,
BANKRUPTCY CASE NO. 03-44906-HJB,

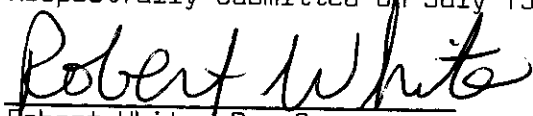
Respondents.

MOTION TO AMEND WRIT OF HABEAS CORPUS

Petitioner, Robert White, Pro Se, requests leave of this Court to amend his Writ of Habeas Corpus to include the additional argument that the Bankruptcy Court violated Petitioner's Sixth Amendment Right to counsel at his contempt hearing. Petitioner has at all times prior to, during, and after his contempt hearing and after incarceration told the Bankruptcy Court that Petitioner could not afford to pay the sanctions which precipitated the contempt and incarceration. Given Petitioner's poor financial status the Bankruptcy Court should have made an inquiry into Petitioner's ability to afford an attorney before holding an evidentiary contempt hearing. The Bankruptcy Court has no standardized method of evaluating indigency except to put a party on the stand to testify in an evidentiary hearing, in Petitioner's case, without benefit of an attorney. Petitioner is unsure the Bankruptcy Court even knows it should appoint an attorney for an indigent party the Court is about

to incarcerate.

Respectfully submitted on July 13, 2005, by

A handwritten signature in black ink that reads "Robert White". The signature is written in a cursive style with a horizontal line underneath the name.

Robert White, Pro Se,
Federal Inmate No. 80519038
Wyatt Detention Center
Central Falls, RI 02836